

**Call to Order:**

The meeting was called to order at 7:37 p.m. Present were Chair, Joan Duff, members Jay Doherty, Eric Macaux, John McDonnell, Vincent Chiozzi, and associate member Lelani Loder; also present were Paul Materazzo, Director of Planning and Jacki Byerley, Planner.

Ms. Duff, Chair, disclosed that all Board meeting are recorded and the minutes are published online, any input from the audience (including their names and addresses) will appear in the published minutes.

**Swan Crossing III:**

The Board opened the public hearing that was continued from the March 20<sup>th</sup> meeting to modify the Special Permit for Multi-Family Construction-Attached Cluster on a application submitted by CA Investment Trust the modification request to add an additional unit for a total of 22 units and to lengthen Ivana Drive by approximately 15 feet.

It should be noted that Mr. Doherty and Ms. Loder recused themselves from the public hearing and left the room.

Doug Lees of Land Engineering & Environmental Services, Inc. representing the applicant gave an overview of the proposed modification which includes the extension of Ivana Drive and an additional unit bringing the total from 21 to 22 units. Mr. Lees also gave an overview of the master plan and updated the Board on the pool house project, tennis courts and the ACC club house. Mr. Lees stated that they are still in the process of finalizing the Conservation Restriction with the State. Mr. Lees reviewed Section V modification and there is no room for expansion at Eagles Place. Mr. Chiozzi questioned the potential build-out. Mr. Lees noted the only future development would be at the 3<sup>rd</sup> and 4<sup>th</sup> hole of ACC and noted there is the potential for 20 to 30 single family homes or 30 to 40 multi-family dwellings. Following a detailed discussion of the open space and conservation restriction Mr. McDonnell made a motion which was seconded by Mr. Chiozzi to close the public hearing for Swan Crossing III for the modification of a Special Permit for Multi-Family Construction-Attached Cluster. **Vote:** Unanimous (4-0)

**Swan Crossing III:**

The Board took up the deliberations to modify the Special Permit for Multi-Family Construction-Attached Cluster on an application submitted by CA Investment Trust to add an additional unit for a total of 22 units and to lengthen Ivana Drive by approximately 15 feet. Ms. Byerley reviewed her memo to the Board dated March 29, 2012 including conditions of approval. Mr. Chiozzi seconded by Mr. Macaux made a motion that the Board, as the Special Permit Granting Authority for the modification to a Special Permit for New Multifamily Dwelling-Attached Cluster-Swan Crossing III find that the proposed modification to the above Special Permit will not be unreasonably detrimental to the established or future character of the neighborhood and town, and that such modification is in harmony with the general purpose and intent of the Zoning By-law, and that the Board therefore approve the application by CA Investment Trust for modification to the Special Permit with condition noted in the memo dated March 29, 2012 prepared by Jacki Byerley. **Vote:** Unanimous (4-0)

It should be noted the Mr. Doherty returned to the meeting after the vote.

**321-325 Lowell Street:**

The Board opened the public hearings that were continued from the March 20<sup>th</sup> meeting on a Special Permit for a Major Non-Residential Project and a Special Permit for the Watershed Protection Overlay District to construct a 30,000 s.f two-story professional office/medical clinic on applications submitted by Salavatore N. Lupoli. Rick Friberg of TEC representing the applicant gave an overview of the location, acreage, the size of the building which will be 30,000 s.f 15,000 sf. would be medical offices, 5,000 sf. would be the clinic and 10,000 s.f. would be storage of medical files. He also reviewed the revised plans which included lighting, access, and the sidewalk connection to Windsor Green. Mr. Friberg reviewed a letter to the Board dated April 11, 2012 that addresses the Board's questions raised at their previous meeting regarding the restricted access easement, and the setback requirements. Ms. Byerley reviewed her memo to the Board that included items left open from the previous meeting including the cost of a peer review of the traffic study and noted that ESS Group is conducting a peer review of the drainage report submitted. Mr. Chiozzi questioned the cost of a traffic light and if the Town had any money for it. Ms. Byerley noted the applicant has agreed to contribute money towards the construction of the signal. Mr. Friberg noted that the applicant of a 40B project has agreed to install a traffic light as part of their mitigation. He also noted that he has received comments from the peer review on April 10, 2012 and that the ZBA approved the project on April 5, 2012. The Board discussed traffic and asked if 25K would be enough to design the traffic signal. On a motion by Mr. Macaux seconded by Mr. McDonnell the Board voted to continue the public hearings on a Special Permit for a Major Non-Residential Project and a Special Permit for the Watershed Protection Overlay District to construct a 30,000 s.f two-story professional office/medical clinic. **Vote:** Unanimous (5-0);

It should be noted Ms. Loder returned to the meeting after the vote.

**Warrant Articles 2012 Town Meeting:**

Preliminary warrant articles for A-30 Lease of land at 126 Tewksbury Street for Solar Facilities. The Board opened the discussion that was continued from the March 13<sup>th</sup> meeting on the proposed preliminary warrant articles for P-38 Lease of land at 126 Tewksbury Street for Solar Facilities. Mr. Materazzo noted that the Board of Selectmen and the Finance Committee have disapproved the article. He also gave a recap of the solar project, the potential cost savings to the Town. The Board questioned what the investment to the town was. Mr. Materazzo noted there would have been no cost to the Town. Mr. Macaux gave an overview of power purchase agreements and the tax credits. Ms. Loder reviewed the Selectmen's concerns during the site walk that was conducted. The Board discussed the proposed article, the feasibility study, the site, and the topography. Mr. Doherty expressed concern that the property would be tied up for 20 years. On a motion by Mr. Macaux seconded by Mr. McDonnell the Board voted to recommend approval of Article 30 at Town meeting. **Vote:** Mr. McDonnell, Mr. Macaux and Ms. Duff voting yes; and Mr. Doherty and Mr. Chiozzi voting no. (3-2)

**Warrant Articles 2012 Town Meeting (cont.):**

The proposed preliminary warrant articles for A-34 Tax Increment Finance Plan(TIF):  
Mr. Materazzo reviewed his memo to the Board dated March 28, 2012 including the proposed article, and noted Schneider Electric is looking to partner with the Town of Andover and the Massachusetts Office of Business Development to enter into a tax increment financing agreement at 800 Federal Street. Mr. Materazzo reviewed the benefits of this agreement which includes the potential of 600 new employees to the site, additional taxes benefits, and noted that the Board of Selectmen and Finance Committee have approved the article. Mr. Chiozzi questioned if other businesses in town would have the same opportunity as Schneider Electric and who monitors the agreement. It should be noted Mr. McDonnell left the meeting. Mr. Materazzo reviewed the TIF process. Following a detailed discussion of the proposed article Mr. Macaux made a motion that was seconded by Mr. Doherty that the Board to recommend approval of Article 34 at Town Meeting **Vote:** Unanimous (5-0)

**Minutes:**

On a motion by Mr. Macaux seconded by Mr. Doherty the board voted to adopt the minutes for February 14<sup>th</sup> and February 28, 2012.

**Adjournment:** The meeting was adjourned 8:55 p.m.